
EXAMINER INTERVIEW - PROPOSED AGENDA

DATE: FEBRUARY 25, 2004
TO: EXAMINER JOSEPH AVELLINO
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FROM: JOSEPH T. VAN LEEUWEN
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RE: REQUEST FOR INTERVIEW REGARDING 09/631,722 ✓

Examiner «Examiner»:

During of our upcoming telephone interview, I would like to discuss the following:

- Rejection of Claim 4 – 103 rejection citing Farber in view of Elledge

Specifically, Applicants claims the limitation of determining a proxy server where the determining includes:

- receiving a destination address and
- comparing the destination address to a plurality of network addresses where each of the network addresses correspond to a proxy server identifier.

The Office Action uses Farber as “receiving a client address” (not a destination address) and then uses Elledge as teaching the “comparing” step, where Elledge is actually identifying a server address based upon the destination network path. Combining Farber and Elledge in this manner doesn’t seem to make sense. What Farber teaches is “receiving a client address,” however a client address is not being used in the comparison by Elledge. By combining the two references, the art becomes unusable, therefore the Farber and Elledge references are not properly combinable in a 103 rejection. In other words, by combining the art, the Office Action takes the position that, after receiving a client address (Farber), the client address can be used to look up a proxy server address (Elledge). This just doesn’t make sense. The reason Farber teaches using client addresses is that he is teaching a repeater function that he explains is different from a proxy function (see col. 1, lines 63-65 & col. 2, lines 26-36). While, in general, Farber may teach enough proxy elements for a broad set of claims, joining Farber with Elledge ends up producing an unusable solution as it would not make any sense to list client addresses (Farber) and select a proxy server based on the client address. First, the list would be to unwieldy and cause more harm than good. Second, proxy servers have a cache of stored server pages, so looking up a proxy server based upon the client’s address would be just a random pick as the client address would have little/no correlation to the data being requested from the destination (server) address.

I would like to go through these thoughts with you in order to better understand your reading of the references and whether your reading is consistent with my reading, outlined above.

Thank you for your time and consideration. Please let me know when you can conduct a telephonic interview regarding this application.

Joe Van Leeuwen

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